

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**JOSEPH BELLEAU**

**PLAINTIFF**

**V.**

**NO. 1:07CV259-DAS**

**MICHAEL J. ASTRUE,  
COMMISSIONER OF SOCIAL SECURITY**

**DEFENDANT**

**ORDER AWARDING ATTORNEY FEES**

**BEFORE THE COURT** are the plaintiff's motion for payment of attorney fees and supporting memorandum [doc. 20] and the defendant's response [doc. 23]. In these proceedings, the plaintiff sought judicial review of the final decision of the Commissioner of Social Security, denying his claim for benefits. By Order of Reversal and Remand [doc. 18] and Judgment [doc. 19], the Court granted the Defendant's Motion for Reversal and Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) [doc. 16] and remanded the plaintiff's claims for further proceedings. The plaintiff now seeks attorney fees pursuant to 28 U.S.C. §2412(d), the Equal Access to Justice Act ("EAJA"). Through the Motion and attached exhibits, the plaintiff requests an award of \$3,728.00 in attorney fees and expenses to be paid to his attorney, Michael B. McHenry. The defendant agrees that the plaintiff is entitled to the requested award of fees and expenses.

The Court, having considered the foregoing and the record of this case, finds the requested amount is reasonable and appropriate. Therefore, it is

**ORDERED** that the plaintiff's motion for payment of attorney fees under the Equal Access to Justice Act is hereby **GRANTED**, and the plaintiff's attorney is hereby awarded the sum of \$3,728.00.

**THIS**, the 3<sup>rd</sup> day of October, 2008.

/s/ David A. Sanders  
**U. S. MAGISTRATE JUDGE**